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Book Reviews

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Book Reviews

The International Court of Justice

John King Gamble, Jr. and Dana D. Fischer; Lexington Books, D.C. Heath and Co., Lexington, Mass., 1976

Reviewed by BRUNO V. BITKER

The subtitle of this work is "An Analysis of a Failure." This should serve as a warning that the authors are, to put it mildly, not very enthusiastic about the results flowing from the very existence of the Court nor from its activities.

A first leafing through the pages causes a reader to think it is a text book on theoretical mathematics: it is replete with charts, schedules, diagrams and tables. These indicate the great amount of thought and research that went into the production. It is a thorough and detailed study. But the result of the extensive use of charts is to make reading it slow going at times.

The work is not an analysis of the substance of the cases submitted or acted upon by the Court. The authors' goal is "to discern exactly what the Court has done, how countries relate to it, and ultimately what role it can be expected to play." The study is approached from several viewpoints. One is of the underuse of the Court and proposals for stepping up its activities. The second approach is through a statistical analysis of the matters before the Court. The next look is at the relationship of the states in the international community to the Court. And in a further analysis the authors suggest a method for predicting the future use of the Court under certain conditions.

In April, 1970, during a major foreign policy address, the then Secretary of State, William P. Rogers, spoke of breathing "new life into the neglected, in fact moribund, International Court of Justice." He suggested that the United States seek to include in future international treaties a provision for accepting the jurisdiction of the Court. He further proposed submitting various disputes to the Court. But, as the tables in this book indicate, that policy statement of 1970 must have been placed in a deep freeze.

The authors are to be commended for undertaking this study. Its appeal is primarily to scholars on the Court. However, it should be in every academic library as a reference work.